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RCE-13743

PTO/SB/30 (08-03)

Approved for use through 07/31/2006. OMB-0651-0031

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#

APR 26 2004

# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	09/889,843
Filing Date	07/22/2002
First Named Inventor	JAMES SURJAN ET AL.
Art Unit	3743
Examiner Name	Dahbour, Fadi H
Attorney Docket Number	12258

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

## 1. Submission required under 37 CFR 1.114

Note: If the RCE is proper, any previously filed unentered and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
  - i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
  - ii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
  - i. ☐ Amendment/Reply
  - ii. ☐ Affidavit(s)/Declaration(s)
  - iii. ☒ Information Disclosure Statement (IDS)
  - iv. ☐ Other \_\_\_\_\_

## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other \_\_\_\_\_

## 3. Fees

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 09-0025 \$770.00
  - i. ☒ RCE fee required under 37 CFR 1.17(e) 04/26/2004 SDIRETH1 00000027 090025 09889843
  - ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17) 01 FC:1601 770.00 DA
  - iii. ☐ Other \_\_\_\_\_
- b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print / Type)	PAUL F. DONOVAN	Registration No. (Attorney / Agent)	39,962
Signature	<i>Paul F. Donovan</i>	Date	APRIL 26, 2004

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print / Type)	RENÉE HIMELHOCH	EXPRESS MAIL ER 487390722 US
Signature	<i>Renée Himelhoch</i>	Date

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing the burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**

(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.

12258

In Re Application Of: JAMES SURJAN ET AL.

APR 26 2004

Serial No.

09/889,843

Filing Date

07/22/2002

Examiner

Dahbour, Fadi H

Group Art Unit

3743

Title: SELF REGULATING FLEXIBLE HEATER

Address to:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**37 CFR 1.97(b)**

1. ☒ The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

**37 CFR 1.97(c)**

2. ☐ The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:

☐ the statement specified in 37 CFR 1.97(e);

**OR**

☐ the fee set forth in 37 CFR 1.17(p).

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**

(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.

12258

In Re Application: JAMES SURJAN ET AL.

APR 26 2004

Serial No.

09/889,843

Filing Date

07/22/2002

Examiner

Dahbour, Fadi H

Group Art Unit

3743

**SELF REGULATING FLEXIBLE HEATER****Payment of Fee**

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☐ A check in the amount of \_\_\_\_\_ is attached.
- ☐ The Director is hereby authorized to charge and credit Deposit Account No. \_\_\_\_\_ as described below.

- ☐ Charge the amount of \_\_\_\_\_
- ☐ Credit any overpayment.
- ☐ Charge any additional fee required.

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Signature

Typed or Printed Name of Person Signing Certificate

**Certificate of Mailing by First Class Mail**

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Signature of Person Mailing Correspondence

Typed or Printed Name of Person Mailing Certificate

\*This certificate may only be used if paying by deposit account.

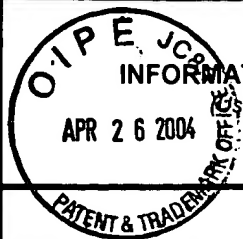


Signature

Dated: APRIL 26, 2004

PAUL F. DONOVAN  
ATTORNEY OF RECORD  
REG. NO. 39,962

CC:



## INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

APR 26 2004

ATTY DOCKET NO.

12258

SERIAL NO.

09/889,843

JAMES SURJAN ET AL.

FILING

07/22/2002

GROUP

3743

## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	5,081,339	01/14/1992	STINE	219	217	
	5,422,462	06/06/1995	KISHIMOTO	219	545	
	5,451,747	09/19/1995	SULLIVAN ET AL.	219	528	
	5,679,277	10/21/1997	NIIBE ET AL.	219	543	
	5,824,996	10/20/1998	KOCHMAN ET AL.	219	529	
	5,861,610	01/19/1999	WEISS	219	497	
	5,961,869	10/05/1999	IRGENS	219	549	
	6,031,214	02/29/2000	BOST ET AL.	219	545	
	6,054,690	04/25/2000	PETIT ET AL.	219	528	
	6,097,009	08/01/2000	COLE	219	528	
	6,111,234	08/29/2000	BATLIWALLA ET AL.	219	549	

## FOREIGN PATENT DOCUMENTS

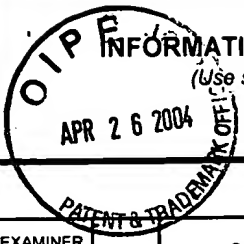
	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)


EXAMINER

DATE CONSIDERED

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

**INFORMATION DISCLOSURE CITATION***(Use several sheets if necessary)*

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SERIAL NO.

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**JAMES SURJAN ET AL.**

FILING

07/22/2002

GROUP

3743

**U.S. PATENT DOCUMENTS**

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	6,124,577	09/26/2000	FRISTEDT	219	497	
	6,143,206	11/07/2000	HANDA ET AL.	252	500	
	6,150,642	11/21/2000	WEISS ET AL.	219	528	
	6,172,344	01/09/2001	GORDON ET AL.	219	529	
	6,215,111	04/10/2001	ROCK ET AL.	219	545	
	6,229,123	05/08/2001	KOCHMAN ET AL.	219	549	
	4,761,541	08/02/1988	BATLIWALLA ET AL.	219	528	
	5,197,595	03/30/1993	COULTAS	206	0.6	
	5,851,588	12/22/1998	UTHOFF, JR.	427	228	
	5,961,869	10/05/1999	IRGENS	219	549	

**FOREIGN PATENT DOCUMENTS**

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO

**OTHER DOCUMENTS** *(Including Author, Title, Date, Pertinent Pages, Etc.)*


EXAMINER

DATE CONSIDERED

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